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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

John PAFFORD et al.

Serial No. 10/781,058

Filed February 18, 2004

BONE GRAFTS

)  
) Before the Examiner  
) Not yet known  
)  
) Group Art Unit  
) 3738  
)  
)  
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INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure in accordance with 37 CFR §1.56, Applicant wishes to bring to the attention of the Examiner the patents, publications and/or other information listed on the attached PTO Form 1449 (modified). All the references listed on the attached Form were cited in the priority US application (USSN 10/114,675). Consequently, copies of these references have not been included with this Statement. Should the Examiner desire copies of the references, the undersigned attorney will gladly forward them.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

This Statement is being submitted more than three (3) months after the filing date of the application but before receipt of the first Office Action. It is believed that no fee is required for consideration of the submitted items. Should any fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as **first class mail** in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

July 20, 2004  
(Date of Deposit)  
James B. Myers  
Name of Registered Representative  
James B. Myers  
Signature  
July 20, 2004  
Date of Signature

Respectfully submitted,

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/781,058
				Filing Date	February 18, 2004
				First Named Inventor	John PAFFORD
				Group Art Unit	3738
Sheet	1	of	3	Examiner Name	
				Attorney Docket No.	4002-3483

U.S. PATENT DOCUMENTS[L1]					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		2,677,369	03/1952	Knowles	
		3,848,601	11/1974	Ma et al.	
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		5,258,029	11/1993	Chu et al.	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				<i>Complete if Known</i>	
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				Group Art Unit	3738
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Sheet	2	of	3	Attorney Docket No.	4002-3483

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FOREIGN PATENT DOCUMENTS[L2]						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		EP0077159	04/1983			
		WO 86/00526	01/1986			
		EP0179696	04/1986			
		EP0307241	03/1989			
		WO 90/00037	01/1990			

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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
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		WO 94/25892	11/1994			
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		WO 97/14378	04/1997			
		WO 97/15248	05/1997			
		WO 97/25945	07/1997			

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS[L3]**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published	T <sup>2</sup>
		*Albee, F. H., M.D., "Bone Graft Surgery" <u>Bone Graft Surgery in Disease, Injury and Deformity</u> , 1940, pp. 20-22.	
		**"EndoDowel", <u>Musculoskeletal Transplant Foundation</u>	
		*Lane, J. M., M.D., Boden, S.D., M.D. "The Potential of Recombinant Human Bone Morphogenetic Protein-2 In Orthopedics: A compendium of Scientific Studies and Reviews", pp. 3, 24, 37, and 49.	
		**"Musculoskeletal Transplant Foundation: Quality Must be First Priority", pp. 1-16	
		*Simmons, J. W., "Bone Banking" <u>Spine Surgery: An Anthology</u> , Chapter 40, pp. 459-470.	
		**"Unilab Surgibone" (TUV Product Service), <u>Unilab Inc.</u>	
		*Vich, J. M., M.D., "Anterior Cervical Interbody Fusion with Threaded Cylindrical Bone", <u>J. Neurosurg</u> 63:750-753 1985.	
		*Vich, J. M., M.D., "Update on the Cloward Procedure: New Instruments", <u>J. Neurosurg</u> , Vol. 81, November 1994.	

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